Attorney's Docket No.: 17072-005001 / 0272

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yuchang Wu et al.

Art Unit : 3736

Serial No.: 10/766,204

Examiner: FOREMAN, J. M.

Filed

: January 27, 2004

Conf. No.: 6122

Title :

: BIOLOGICAL SPECIMEN COLLECTION AND ANALYSIS SYSTEM

### Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are an Information Disclosure Statement, Form PTO-1449 (9 pages), cited references and return postcard for filing in connection with the above-captioned patent application.

X

The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Fred C. Hernandez

Reg. No. 41,832

Attorney Docket No. 17072-005001 / 0272

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 14, 2004

Date of Deposit

Folly U-Tro

Kelly M. Fischer

Attorney's Docket No.: 17072-005001 / 0272

I JENE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§1.97-1.98

### Dear Sir:

Because this Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (9 pages) and copies of the foreign patents and publications are provided herewith in connection with the above-captioned application.

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Applicant: Wu et al. Attorney's Docket No.: 17072-005001 / 0272

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Page : 2 of 2

Applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

U.S.S.N.(App. no.)	Filing Date	<u>Status</u>	Docket No.
09/915,494	07/25/01	Pending	002001 (0271)
10/211,199	08/02/02	Pending	002002 (0271B)
09/579,673	05/26/00	Pending	006001 (0273)
10/336,204	01/04/03	Pending	007001 (0274)
10/336,203	01/04/03	Pending	008001 (0275)

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

Fred C. Hernandez Reg. No. 41,832

Attorney Docket No. 17072-005001 / 0272 Address all correspondence to:

Fred C. Hernandez Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5625 Facsimile: (202) 626-7796 Email: fhernandez@fr.com Substitute Form PTO(

S. Department of Commerce Patent and Trademark Office  $\begin{array}{l} \text{Attorney's Docket No.} \\ 17072\text{-}005001 \end{array}$ 

Application No. 10/766,204

List of Patents and Publications for Applicant's Information Discipline Statement

Applicant Yuchang Wu et al.

Filing Date

January 27, 2004

Group Art Unit

(37 CFR §1.98(b))

U.S. Patent Documents  Examiner Desig. Document Publication Filing Date							
Initial	ID ID	Number	Date	Patentee	Class	Subclass	If Appropriate
	Α	RE34,394	09/28/1993	Bunting	436	500	12/18/1990
<u> </u>	В	2002/0004019	01/10/2002	Bachand et al.	422	58	01/04/2001
	С	2002/0023482	02/28/2002	Pampinella	73	49.8	05/01/2001
	D	2002/0031845	03/14/2002	Cipkowski	436	518	11/06/2001
	Е	2002/0046614	04/25/2002	Alley	73	864.91	10/24/2001
	F	2002/0058031	05/16/2002	Tung et al.	424	140.1	09/17/2001
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	V	D361,842	08/29/1995	Nazareth et al.	D24	225	05/23/1994
	W	D366,938	02/06/1996	Shartle et al.	D24	224	09/02/1994
	Х	D369,868	05/14/1996	Nazareth et al.	D24	225	01/31/1995
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	Z	D388,167	12/23/1997	Caradonna et al.	D24	107	03/26/1996
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	AC	D404,812	01/26/1999	Cipkowski	D24	107	02/07/1997
	AD	D420,141	02/01/2000	Casterlin	D24	223	12/15/1998

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/Samuel Siefke/

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Substitute Form PTO-1449 U.S. Department of Commerce Attorney's Docket No. Application No. (Modified) Patent and Trademark Office 17072-005001 10/766,204 Applicant List of Patents and Publications for Applicant's Yuchang Wu et al. **Information Disclosure Statement** Filing Date Group Art Unit January 27, 2004 (37 CFR §1.98(b)) **U.S. Patent Documents** Document Publication Filing Date Examiner Desig. Patentee Class Subclass If Appropriate Initial ID Number Date ΑE D430,303 08/29/2000 Cipkowski **D24** 225 11/01/1999 08/06/1999 Wilkinson et al. **D24** 122 **AF** D434,494 11/28/2000 10/23/2001 Kieras D9 430 02/09/2001 AG D449,524 S D464,141 S 10/08/2002 McMenamy et al. D24 216 10/17/2000 AH ΑI D468,204 S 01/07/2003 Gittens et al. D9 430 03/12/2001 AJ D468,437 S 01/07/2003 McMenamy et al. D24 216 11/21/2000 ΑK 228,031 05/25/1880 Broughton et al. NA NA Unknown 09/23/1889 AL424,982 04/08/1890 Hidden NA NA Smelker et al. NA NA 09/11/1899 AM 645,430 03/13/1900 AN 711,452 10/14/1902 Meyer et al. NA NA 01/08/1902 AO 3,000,540 09/19/1961 Wheeler 222 14 08/08/1957 222 453 02/27/1970 AP 3,658,216 04/25/1972 Schwartzman AQ 3,687,333 08/29/1972 Burnett et al. 220 46 11/23/1970 11/20/1970 AR 3,688,942 09/05/1972 Michell et al. 220 46 23 230 07/26/1971 AS 3,723,064 03/27/1973 Liotta 7 AT 3,837,518 09/24/1974 Gach 215 11/30/1972 3,951,748 04/20/1976 Devlin 195 103.5 11/11/1974 ΑU ΑV 3,990,850 11/09/1976 Friedman et al. 435 287.9 01/06/1976 32 10/30/1975 AW 4,024,976 05/24/1977 Acton 215 195 103.5 05/03/1976 4,087,326 05/02/1978 Kereluk AX05/02/1978 Hansen 195 127 07/22/1977 AY 4,087,332 4,111,329 Lampman 220 266 09/19/1977 AZ09/05/1978 BA 01/09/1979 Harte 23 230 03/04/1976 4,133,639 BB4,165,018 08/21/1979 Giggard 220 284 08/31/1978 220 284 05/30/1978 BC 4,177,930 12/11/1979 Crisci 4,190,175 02/26/1980 Allen 220 270 03/25/1976 BD05/27/1980 72 BE4,205,043 Esch et al. 422 02/05/1979 422 10/16/176 BF 4,211,749 07/08/1980 Kantner 102 435 301 10/30/1978 BG 4,237,234 12/02/1980 Meunier 4,270,921 06/02/1981 23 230 B 09/24/1979 BHGraas

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/Samuel Siefke/

10/20/2008

Attorney's Docket No. Application No. Substitute Form PTO-1449 U.S. Department of Commerce (Modified) Patent and Trademark Office 17072-005001 10/766,204 Applicant List of Patents and Publications for Applicant's Yuchang Wu et al. Information Disclosure Statement Filing Date Group Art Unit January 27, 2004 (37 CFR §1.98(b)) **U.S. Patent Documents** Filing Date Desig. Document Publication Examiner Number Patentee Class Subclass If Appropriate Initial ID Date 436 04/09/1997 HC 5,965,458 10/12/1999 Kouvonen et al. 518 07/21/1997 222 209 HD 5,975,373 11/02/1999 Forsberg 102 10/29/1998 5,976,469 11/02/1999 **Davis** 422 HE 422 102 03/11/1996 5,976,895 11/02/1999 Cipkowski HF Charlton 436 177 04/29/1998 HG 5,981,293 11/09/1999 Charlton et al. 436 501 07/02/1997 HH 5,989,921 11/23/1999 05/31/1996 11/30/1999 Stave et al. 436 139 HI 5,994,145 7.92 06/01/1992 435 HJ 6,020,147 02/01/2000 Guire et al. 02/15/2000 Vetter et al. 436 170 07/21/1997 HK 6,025,203 Magginetti et al. 436 514 11/10/1997 HL 6,087,184 07/11/2000 523 09/30/1997 HM6,096,563 08/01/2000 Hajizadeh et al. 436 12/26/2000 Chandler 422 58 11/26/1997 HN 6,165,416 422 61 11/19/1997 01/02/2001 Forsberg et al. HO 6,168,758 222 479 08/06/1999 6,170,719 01/09/2001 Wilkinson et al., HP 08/06/1999 6,171,261 01/09/2001 Niermann et al. 600 573 HQ 07/29/1998 292 307 Burt HR 6,174,006 01/16/2001 7.2 12/15/1998 435 HS 6,210,909 04/03/2001 Guirguis 09/17/1998 HT 6,248,598 06/19/2001 Bogema 436 518 436 165 11/17/1997 6,277,646 08/21/2001 Guirguis et al. HU 215 252 08/02/1998 10/30/2001 Parrinello HV 6,308,848 518 04/21/1999 436 HW 6,372,515 04/16/2002 Casterlin et al. 422 58 02/14/2000 04/23/2002 Bachand 6,375,897 HX 422 58 11/16/1998 HY 6,379,620 04/30/2002 Tydings et al. 05/07/2002 215 252 03/16/2000 HZ 6,382,444 Nyman Casterlin et al. 436 518 06/15/1999 6,403,383 06/11/2002 IA Casterlin et al. 436 518 01/29/2001 IB 6,406,922 06/18/2002 422 58 07/06/2000 10/15/2002 Bachand et al. IC 6,464,939 422 58 01/04/2001 6,468,474 10/22/2002 Bachand et al. ID 05/18/2001 IE 6,565,808 05/20/2003 Hudak et al. 422 58 10/27/2000 06/10/2003 Cui et al. 422 58 IF 6,576,193

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10/20/2008

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in

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List of Patents and Publications for Applicant's Information Disclosure Statement		Applicant Yuchang Wu et al.		
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Foreign Patent Documents or Published Foreign Patent Applications								
Examiner			Publication	Country or			Translation	
Initial	ID_	Number	Date	Patent Office	Class	Subclass	Yes	No
	IG	97/33519	09/18/1997	PCT				
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	IP	ACON Magazine Advertisement, IVD Technology Magazine, p.17 Mar/April 2000				
	IQ	ACON Magazine Advertisement, IVD Technology Magazine, p.45 Nov/Dec 1999				
	IR	ACON Magazine Advertisement, <u>LabMedica Magazine</u> , p.14 Jul/Aug 1999; p.9 Sept/Oct 1999; p.23 Jov/Dec 1999				
	IS	ACON OEM Product Brochure, August (2000)				
	IT	ACON Product Brochure, "Is he using drugs?", (2003)				
	IU	Drug Detection Devices, Ltd.  www.3dl.net/drugtests.html  No Dated				
	IV	InTec Products, Inc. Product Brochure, "One step drug-of-abuse test", (2002)				
	IW	Handbook: "Urine Specimen Collection Handbook for Federal Workplace Drug Testing Programs,  Health and Human Services (HHS) Mandatory Guidelines, The National Clearinghouse for Alcohol  and Drug Information.  www.health.org/workplace/urinebook.htm				

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